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FAX COVER PAGE

PAGES: 10 including cover

DATE: January 5, 2005

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TO: Examiner T. Page
U.S. Patent and Trademark Office

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URGENT!

Applicant : Phillip J. Percel, et al.
Appln. No. : 10/675,656
Filed : September 30, 2003
Title : TIMED PULSATILE DRUG DELIVERY SYSTEMS
Docket No. : 451194-041-D1

Pursuant to our telephone conversation a few moments ago concerning the Declaration executed by all inventors, please find attached a copy of Applicants' Response filed 4/20/2004 to the initial Notice to File Missing Parts of Nonprovisional Application (mailed by the USPTO on 12/29/2003) and the Declaration executed by all inventors.

As we discussed, we have received a second Notice to File Missing Parts of Nonprovisional Application (mailed 11/12/2004). A copy of the Notice is also attached. As you instructed, since we are providing the executed Declaration herewith, we will take no further action to reply to this second Notice to File Missing Parts (response due 1/12/2005).

If additional action concerning the Declaration is required or there are any questions, please contact us immediately. Thank you for your assistance.

Problems with transmission? Call Ann Ison at 937.331.6060.

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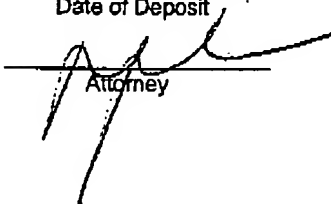
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in the envelope addressed to: MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450 on

4-20-04
Date of Deposit

Attorney

27.922
Reg. No.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Applicant : Phillip J. Percel, et al.
Appln. No. : 10/675,656
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Title : TIMED PULSATILE DRUG DELIVERY SYSTEMS
Docket No. : 451194-041-D1

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

This paper is submitted in response to the Notice to File Missing Parts of Nonprovisional Application dated December 29, 2003 (copy enclosed). Applicants hereby request a two month extension of time to respond to said Notice. Enclosed is the executed Declaration that was missing from this application. Attached is a check in the amount of \$550.00 for the appropriate surcharge and extension fees.


The applicant(s) hereby authorize the Commissioner under 37 C.F.R. §1.136(a)(3) to treat any paper that is filed in this application which requires an extension of time as incorporating a request for such an extension.

The Commissioner is authorized to charge any additional fees required by this paper (including the fee for any additional extension of time) or to credit any overpayment to Deposit Account No. 20-0809.

Appln. No.: 10/675,656
Docket No.: 451194-041-D1
Response to Notice to File Missing Parts
of Nonprovisional Application

Respectfully submitted:

By: _____


Mark P. Levy, Esq.
Reg. No. 27,922

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/675,656	09/30/2003	Phillip J. Percei	451194-041-D1

27805
THOMPSON HINE L.L.P.
2000 COURTHOUSE PLAZA, N.E.
10 WEST SECOND STREET
DAYTON, OH 45402

CONFIRMATION NO. 5804

FORMALITIES LETTER

OC000000011577193

Date Mailed: 12/29/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
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Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Jan. 5. 2005 11:42AM

No. 0771 JP. 52 of 2

B. Hahnfeld
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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10/675,656	09/30/2003	Phillip J. Percel	451194-041-D1

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10 WEST SECOND STREET
DAYTON, OH 45402

CONFIRMATION NO. 5804

FORMALITIES LETTER



OC000000014352034

Date Mailed: 11/12/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

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*A copy of this notice **MUST** be returned with the reply.*

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